REMARKS

Claims 1, 3-9, and 11-43 are currently pending in the subject application and are presently under consideration. Claims 1, 3-6, 12, 25, 27, 28, and 43 have been amended as shown on pages 2-8 of the Reply. Claims 17 and 32 have been cancelled.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1, 3-9, and 11-43 Under 35 U.S.C. §103(a)

Claims 1, 3-9, and 11-43 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kephart, *et al.* (US 2001/0042087) in view of Applicant's Admitted Prior Art (hereafter "AAPA"). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Kephart, *et al.* and AAPA, individually or in combination, do not teach or suggest all aspects of the subject claims.

> A factfinder should be aware, of course, of the distortion caused by hindsight bias and must be cautious of arguments reliant upon *ex post* reasoning. See *KSR v. Teleflex*, 550 U.S. ___, 127 S. Ct. 1727 (2007) citing Graham v. John Deere Co. of Kansas City, 383 U. S. 1, 36 (warning against a "temptation to read into the prior art the teachings of the invention in issue" and instructing courts to "'guard against slipping into the use of hindsight'" (*quoting Monroe Auto Equipment Co. v. Heckethorn Mfg. & Supply Co.*, 332 F. 2d 406, 412 (CA6 1964))).

The subject claims relate to the creation, management, and display of attribute-specific lists in connection with organizing objects. Objects upon which actions can be performed, such as e-mails or files, can have one or more of their object attributes associated with an attribute-specific list. This list can be automatically updated (*e.g.* sorted or appended) based on actions performed on an object having the same associated attribute. The list can include a number of alternative ways that an action can be performed on the object. For example, when a user receives an e-mail (the object in this example case) from a particular sender (the attribute), and the user wishes to move the e-mail to a particular folder (the action), the user can invoke a list of destination folders associated with the sender of the e-mail and select a destination folder from the list. Upon selecting a destination folder, the list can be re-sorted according to predetermined

sort criteria and based on the user's selection. The sort criteria can be a function of the performed action and can include, but is not limited to, re-sorting based on the most recently selected alternative (in which case the most recently selected alternative would be moved to the top of the list), or re-sorting based on the most frequently selected alternative. This updated list can then be invoked for subsequent objects containing the same associated attribute, while a disparate list can be maintained for objects having a different attribute. In particular, amended independent claim 1 recites, *initializing a plurality of attribute-specific lists,* ***each list having a defined association with a different controlling attribute and having a plurality of entries corresponding to selectable actions to be performed on an object having the associated controlling attribute****, the selectable items ordered from a most recently performed action to a least recently performed action with respect to an object having the associated controlling attribute.*

Kephart, *et al.* does not disclose such attribute-specific action lists. Kephart, *et al.* relates to an electronic document classification assistant that employs a continuously trained classifier to generate a set of likely classification labels for a given document. In order to train the classifier, documents are "tokenized;" that is, names and terms from the body of the document and any header fields embedded in the document are extracted into a set of tokens. This token set becomes associated with whichever classification label the user chooses for the document. As additional documents are received, each new document is tokenized, and the resulting token set is compared with the token sets already associated with each available label, and the user is presented with a list of the most likely labels for the new document based on the comparison. The Office Action argues that this method of generating a list of most likely labels reads on the attribute-specific lists of the subject claims. However, the set of labels generated for a particular document according to the methods set forth in the cited reference are not associated with a *specific controlling attribute.* Rather, the cited reference teaches that the set of labels presented to a user for a given document is based on the *frequency* of tokens appearing in each category that are common to those in the document's token set. Thus, Kephart, *et al.* does not teach that separate action lists are initialized and maintained for *each of a set of specific object attributes*, but rather teaches that such lists are generated based on an *aggregated* analysis of all the tokens extracted from a document.

The concept of maintaining separate lists for each of a set of object attributes is further underscored in amended independent claim 1, which goes on to recite, *invoking a **first** of the plurality of attribute-specific lists via a first object having a first controlling attribute, **the first attribute-specific list associated with the first controlling attribute**; selecting an action from the first attribute-specific list to be performed on the first object; reordering the first of the plurality of attribute-specific lists in accordance with the selected action, **the reordering of the first of the plurality of attribute-specific lists performed independently of the remaining attribute-specific lists**; invoking a **second** of the plurality of attribute-specific lists via a second object having a second controlling attribute, **the second attribute-specific list associated with the second controlling attribute**; selecting an action from the second attribute-specific list to be performed on the second objection; reordering the second of the plurality of attribute-specific lists in accordance with the selected action, **the reordering of the second of the plurality of attribute-specific lists performed independently of the remaining attribute-specific lists.*** In this way, separate attribute-specific lists are maintained and independently updated for each of a plurality of attributes. As already noted, Kephart, *et al.* does not manage *separate* attribute-specific action lists, but rather generates a *new* list of most likely labels for a newly received document based on an analysis that examines the tokens contained in the document *as a whole*. As such, it cannot be said that Kephart, *et al.* teaches individual management of a plurality of attribute-specific lists, wherein each list is associated with a specific controlling object attribute.

Further emphasizing these aspects, amended independent claim 1 further recites, *invoking the **reordered first** of the plurality of attribute-specific lists **via a third object having the first controlling attribute**; and invoking the **reordered second** of the plurality of attribute specific lists **via a fourth object having the second controlling attribute***, thus disclosing that each attribute specific list, once reordered according to an action performed on a first object having the controlling attribute, can be re-invoked in its reordered form *via* a disparate object having the same controlling attribute. The cited reference does not teach or suggest such attribute-specific lists, as discussed above.

AAPA, which relates to sorting lists of destination folders according to "most-recently-moved-to" (MRMT) criteria, fails to remedy these deficiencies of Kephart, *et al.*, since these MRMT lists are not taught as being *associated with a particular object attribute*. Rather, AAPA teaches that the same MRMT list of folders is invoked for all incoming e-mails, regardless of the

particular attributes of that e-mail (*e.g.* the sender of the e-mail). The MRMT lists are therefore not attribute-specific. See especially paragraph [0005] of the specification, which indicates the shared use of this MRMT list among e-mails from different senders as a drawback of such lists.

Similarly, amended independent claim 12 recites, *initializing a set of attribute-specific lists,* ***each attribute-specific list having a defined association with an object attribute*** *and listing selectable actions to be performed on an object having the associated object attribute,* ***wherein the controlling attribute is based on the creator of the object;*** *updating a first of the attribute-specific lists based on an action performed on an object containing the attribute associated with the first of the attribute-specific lists, th****e update performed independently of the remaining lists in the set of attribute-specific lists****; and displaying the updated attribute-specific list* ***via a disparate object containing the same attribute***. As noted *supra*, neither Kephart, *et al.* nor AAPA disclose such attribute-specific action lists as recited. The cited references therefore fail to teach more specifically that the controlling attribute for such lists can be based on the creator of the object through which the list was invoked.

Amended independent claim 27 discloses similar features, reciting, *an initializing component that initializes a plurality of attribute-specific lists,* ***each attribute-specific list having a defined association with one or more controlling attributes****, the one or more controlling attributes based at least on a creator of the object; an updating component that reorders a first of the plurality of attribute-specific lists based on a function performed on a first object having the associated one or more controlling attributes; and* ***a display component that displays the reordered first of the plurality of attribute-specific lists via a second object containing the same one or more controlling attributes***. The cited references do not disclose such attribute-specific lists, as already discussed.

Also, amended independent claim 43 recites, *means for initializing a set of attribute-specific lists based on at least one controlling attribute, the one or more attribute-specific lists orderable based on one or more ordering criteria,* ***each attribute-specific list having a defined association with a different controlling attribute*** *and comprising attribute-specific entries representing actions that have recently been performed on objects having the associated attribute*, and as discussed *supra*, neither cited reference teaches these aspects.

Further regarding the content of the these attribute-specific lists, the subject claims additionally disclose that each list can include entries that are specific to the associated

controlling attribute (*e.g.* actions that were recently or most frequently performed on objects having the controlling attribute), as well as non-attribute-specific entries representing recent or frequently performed actions applied to objects in general, without regard to specific attributes of the objects. Accordingly, the attribute-specific list presented to the user can comprise the attribute-specific entities with the non-attribute-specific entities appended to the list (see, for example, paragraph [0035] of the specification). This can afford a user the flexibility to easily choose an action from the list that is not necessarily consistent with recent or frequent actions performed on objects with the same controlling-attribute, but which are recent or frequent actions performed on objects in general. In particular, amended independent claim 43 further recites, *means for* ***appending one or more non-attribute-specific entries to the attribute-specific entries in the first of the attribute-specific lists, the non-attribute-specific entries representing non-attribute-specific actions that have been performed on objects****; and means for subsequently displaying the updated, reordered, and appended first of the attribute-specific lists via a second object having the same controlling attribute*. As already discussed, neither Kephart, *et al*. nor AAPA teaches the concept of attribute-specific lists as recited in the independent claims. More specifically, the cited references fail to disclose that such lists can comprise a set of *non-attribute-specific entries appended to a set of attribute-specific entries*.

In view of at least the foregoing, it is respectfully submitted that Kephart, *et al*. and AAPA, individually or in combination, do not teach or suggest each and every aspect of amended independent claims 1, 12, 27, and 43 (and all claims depending there from), and as such fail to make obvious the present invention. It is therefore requested that this rejection be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP289USA].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/

Himanshu S. Amin
Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
57TH Floor, Key Tower
127 Public Square
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731